642 may regulate the distribution of land in the
651 interests of the tiller-owner and tenant-
423 cultivators and may limit the amount of land ownership.[23]

642 Under the Chinese Constitution, any
694 citizen has the right to present petitions to file complaints, or to institute legal proceedings. The Law of Petition was promulgated on December 18, 1954. It provides that a person has the right to voice his opinion concerning the policy of the government on matters of public interest to the representative agency or a competent authority, but the petition must be in written form and must not interfere with the exercise of judicial functions.[24] Any citizen may file a complaint against a wrongful decision on the part of a government body. The prescribed procedure is for the injured party to bring his complaint to a higher government body such as the provincial government, if the case is caused by an administrative act on the part of a hsien or a municipal government.

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23. Ibid., These provisions are inserted in accordance with the equalization of land ownership, one of the basic policies of Dr. n Yat-sen.

24. Law of Petition, 1954, Articles 2-6.

642 If he is not satisfied with the decision of the
694 provincial government, he may file a further complaint with the proper department of the Central Government. If the charge is against a wrongful decision, the decision on the second complaint by a superior government body will be final. But if the complaint is against an unlawful decision or an illegal execution, the dispute may be referred to the administrative court for final judgment.[25]

642 The Chinese Constitution provides that
871 the people shall have the right to receive as well as the obligation to accept public education.[26] The state has the responsibility of providing the necessary educational institutions so that all the people may have a chance to receive elementary education; and the state may compel children of school age to attend school. Articles 159 and 160 of the Constitution specify that all citizens shall have an equal opportunity to receive education and that primary education shall be free of charge. Children from poor families shall be supplied with textbooks at the expense of the government.[27]

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25. Law of Administrative Procedure, 1942, Article 1.

26. Constitution, Article 21.

27. Constitution, Article 160.

693 B. Private Prosecution. A private person
694 may introduce criminal prosecution. The responsibility for the instigation of prosecution rests upon the aggrieved individual; he is granted the opportunity to avail himself of possible redress in cases where the procurator has not brought charges. Private prosecution may not begin if the procurator has already completed a preliminary investigation in the same case. However, if the procurator knows, prior to the completion of his preliminary investigation, that private prosecution has been instituted, he shall immediately cease investigations and send the case to the court, since two complaints cannot be filed in a single case.

693 The court shall, upon receipt of a private
695 petition for prosecution, immediately send a copy of the complaint to the accused and notify the procurator of the date set for hearing of the private prosecution; whereupon the procurator may appear in court and express his opinion. The judge will then conduct the trial in accordance with the provisions of the Procedural Code.[4]

C. Advocate and Public Defender. Upon the institution of charges against an individual, the accused may employ one to three advocates. If no counsel has been employed, the presiding judge shall assign a public defender for the accused in cases where the minimum punishment

4. Articles 320, 340, Code of Criminal Procedure, 1935.